## IN THE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

2005 DEC 20 AM 9: 47

MARVELLOUS KEENE,

: DEATH PENALTY CASE

Petitioner,

: Case No. C-1-00-421

VS.

: JUDGE BECKWITH

BETTY MITCHELL, WARDEN,

: MAGISTRATE JUDGE MERZ

Respondent.

: No Execution Date Scheduled

## **NOTICE OF APPEAL**

Petitioner Marvallous Keene hereby serves notice of his appeal to the United States Court of Appeals for the Sixth Circuit from the numerous subsidiary denials, which culminated in the United States District Court Judgment Entry of November 23, 2005, denying Keene's Petition for a Writ of Habeas Corpus.

Respectfully submitted,

John S. Marshall (0015160) (marshall@ee.net)

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## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been served upon:

Charles L. Wille Senior Assistant Attorney General Capital Crimes Section 30 East Broad Street, 23rd Floor Columbus, Ohio 43215 Lead and Trial Counsel for Respondent

Anna M. Franceschelli Assistant Attorney General Capital Crimes Section 30 East Broad Street, 23rd Floor Columbus, Ohio 43215 Co-Counsel for Respondent

by regular U.S. Mail this  $\frac{\sqrt{6}}{2}$  day of December 2005.

John S. Marshall

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